

Exhibit 1

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**DAVID GRAHAM GOODMAN,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 1:13cv 540**

**KENNETH W. STOLLE, et al.,**

**Defendants.**

**COMMONWEALTH OF VIRGINIA  
CITY OF VIRGINIA BEACH, to-wit:**

**AFFIDAVIT OF CAPT. LINDA E. RICHIE**

1. At all times relevant to plaintiff's complaint, I was employed as the Commanding Officer of Professional Standards and Legal Division of the Virginia Beach Sheriff's Office.

2. I base this Affidavit on personal knowledge and on records maintained in the ordinary and regular course of business.

3. I have been requested by counsel for the Sheriff's Department for a copy of the video footage from the Virginia Beach Correctional Center on November 7, 2012 of the use of force incident involving David Graham Goodman and several deputies.

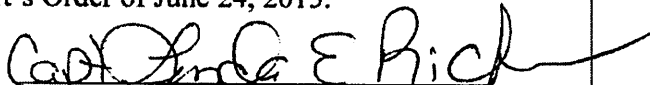
4. Shortly after the incident, the video footage was reviewed by the deputies' supervisor, and internal affairs division, as is customary for every use of force incident that occurs at the facility.

5. Because there were no violations of policy; nor evidence of any excessive force; and no complaint by the inmate at the time, the video was not preserved.

6. After 30 days, the jail video system automatically overwrites existing videos unless they are downloaded for preservation.

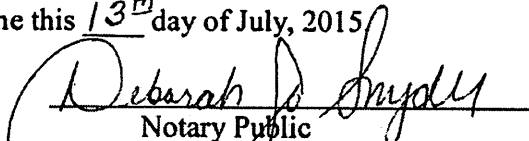
7. Because there was no inmate complaint, no violation of the use of force policy and no evidence of excessive force, the videotape in question was never downloaded and preserved for future use.

8. As a result, the Sheriff's Department cannot provide a copy of the requested videotape as directed by the Court's Order of June 24, 2015.

  
CAPT. LINDA E. RICHIE

This day personally appeared before me, the undersigned Notary Public in and for the county/city and state aforesaid, Capt. Linda E. Richie, to me known to be the person named herein, who after being duly sworn, deposed and said that the facts contained in the foregoing instrument are true and correct.

Sworn and subscribed to before me this 13<sup>th</sup> day of July, 2015

  
Notary Public

My commission expires: 8/31/17  
My registration number: 7576251

